

February 3, 2000

Department of the Navy
Naval Radiation Safety Committee
Chief of Naval Operations (N-45)
ATTN: RADM A. Granuzzo
Chairman
Room 636
2211 S. Clark Place
Arlington, VA 22244-5108

SUBJECT: REQUEST FOR AMENDMENT OF LICENSE NO. 45-23645-01NA

Dear Admiral Granuzzo:

This refers to your request dated October 28, 1999, for an amendment to the Navy's Master Materials License. Specifically, you requested that the NRC amend the license to authorize the use of radioactive materials by non-Naval personnel who are individually approved by the Naval Radiation Safety Committee (NRSC). We have reviewed your request and have determined that an amendment is not necessary. It is NRC's position that the NRSC currently possesses the requested authority, with some limitations. This letter is intended to clarify this position and the limitations.

As you pointed out in your request, the Navy's application dated August 14, 1987, Item 3 states, in part, that radioactive material shall be used only by Navy and Marine Corps commands at locations authorized by the NRSC. This language does not prohibit, nor did the NRC intend to prohibit, the use of licensed radioactive material by non-naval personnel as long as such use was under the command and control of a Naval activity. Therefore, your example where there is a need for the NRSC to authorize a nuclear medicine physician from the Food and Drug Administration or the National Institutes of Health to use licensed radioactive material at the National Naval Medical Center is currently authorized by the Navy's Master Materials License.

The Master Materials License does not authorize, nor was it intended to authorize the NRSC to permit the use of licensed radioactive material by organizations or entities whose activities are not specifically in support of a Naval mission, and not directly under the command and control of a Naval activity. An organization or entity that is not a Naval activity, that wishes to possess and/or use licensed radioactive material at a Naval facility, may not be authorized to do so by the NRSC. In those instances, that organization or entity would be expected to apply for a separate license or request an amendment to an existing license to add that specific location.

There may be instances where the distinction between what is authorized and what is not authorized by the Navy's Master Materials License is unclear. In those instances, you are encouraged to contact the Navy's Master Materials License Project Manager for guidance.

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Department of the Navy

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Should you have any questions concerning the contents of this letter, please contact Mr. Fuller at (404) 562-4714.

Sincerely,

/RA

Douglas M. Collins, Director
Division of Nuclear Materials Safety

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OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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IN REPLY REFER TO
6470
Ser N455C/9U596052
28 Oct 99

U. S. Nuclear Regulatory Commission
Region II, Atlanta Federal Center
61 Forsyth St SW Suite 23T85
Atlanta, GA 30303

Gentlemen and Ladies;

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U. S. Nuclear Regulatory Commission Materials License No. 45-23645-10NA authorizes the use of licensed materials under the Department of Navy control at locations permitted by the Naval Radiation Safety Committee. The Navy application for a specific license of broad scope dated 14 August 1986 stated in Item 3 that "...radioactive material shall be used only by Navy and Marine Corps commands at locations authorized by the Naval Radiation Safety Committee."

On March 2, 1999, Navy received amendment number 10 to the Master Materials License as requested by the Naval Radiation Safety Committee on February 1, 1999. This amendment authorized the joint National Naval Medical Center (NNMC) and National Cancer Institute Hematology-Oncology Service to possess and use radioactive material at the National Naval Medical Center, Bethesda, MD.

This type of joint venture between Navy and non-Navy entities is important to the conduct of state-of-the-art medical care and research projects within the Department of Defense. In this era of downsizing, resources from outside the government can add immensely to the Navy's ability to continually provide vital services to military beneficiaries and support ongoing medical research for global population health improvement.

There are several Naval medical activities which have requested that personnel from outside agencies be authorized to perform licensed operations under their Naval Radioactive Materials Permits. Examples are nuclear medicine physicians from the Food and Drug Administration and the National Institutes of Health at

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National Naval Medical Center in Bethesda, Maryland; Indonesian government researchers at Navy Medical Research Unit 2 in Jakarta; and a scientific technician from the Institute for Genomic Research at the Naval Medical Research Center also in Bethesda. These Naval commands have cooperative agreements with the non-Naval agencies spelling out the responsibilities and contributions from each side. The Naval permittee maintains full accountability for the radiation safety program and compliance with all applicable Navy and Federal regulations.

In consideration of the above information, I request that an amendment to the Navy Master Materials License be performed to authorize the use of radioactive materials by non-Naval personnel who are to be individually approved by the Naval Radiation Safety Committee. The Committee will review all requests for these projects and ensure that the personnel involved are qualified and supervised in their usage of radioactive material. All licensed operations will be conducted at the Naval facility as spelled out in each Naval Radioactive Materials Permit.

If further information is needed to evaluate this request, please contact Lieutenant Commander Sandy J. Wolff at Navy Environmental Health Center in Norfolk, VA at (757) 462-5575 or e-mail at wolffsj@nehc.med.navy.mil.

Sincerely,



A. A. GRANUZZO

Rear Admiral, U. S. Navy
Chairman,

Naval Radiation Safety Committee

Copy to: Bureau of Medicine and Surgery (MED-211)
Navy Environmental Health Center (OEM)